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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Karl Finley,

Plaintiff,

v.

County of Marin; Marsha Grant; Diane Stoker; and
DOES 1 through 50,

Defendants.

Case No.: USDC 07 5922 TEH (JL)

DECLARATION OF LINDA DAUBE IN
SUPPORT OF HER OPPOSITION TO
PLAINTIFF'S APPLICATION FOR ORDER
TO SHOW CAUSE WHY CONTEMPT
CITATION SHOULD NOT ISSUE

I, LINDA DAUBE, HEREBY DECLARE:

1. I have personal knowledge of the facts set forth below and am competent to testify to each and every such fact.
2. I am an attorney licensed to practice in the state of California. I was retained by the County of Marin to provide legal analysis and other services regarding a complaint by Karl Finley, an employee of the County of Marin.
3. My office is at 438 1st St. 4th Floor, Santa Rosa, California. However, on April 29, 2008 at 3:00 p.m., I was not in my office.
4. On April 29, 2008, I had a therapeutic massage with Patricia Duane at 405 Adobe Canyon Road, Kenwood, California. I have the therapeutic massage approximately twice a month. The appointment is a 30 minute drive from my office. I paid for the therapeutic massage that same day by check, dated April 29, 2008.

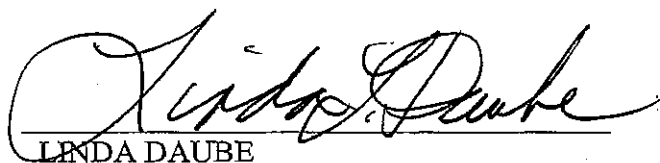
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1 5. When I have therapeutic massage appointments with Patricia Duane, I wait to take a lunch until
2 early afternoon, and I leave the office well in advance of 3:00 p.m. I proceed to my appointment
3 without returning to my office.

4 6. I specifically recall that I did not receive any subpoena on April 29, 2008.

5 7. No one from Plaintiff's firm contacted me regarding the scheduling of the deposition date
6 contained in the subpoena.

7
8 I declare under penalty of perjury that the foregoing is true and correct. Executed at Santa Rosa,
9 CA on this 6th day of August, 2008.

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11 
12 LINDA DAUBE